

TOM REED  
23RD DISTRICT, NEW YORK

COMMITTEE ON  
WAYS AND MEANS

SUBCOMMITTEE ON SOCIAL SECURITY, REPUBLICAN LEADER

SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON WORKER FAMILY SUPPORT

Congress of the United States

House of Representatives

Washington, DC 20515

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PROBLEM SOLVERS CAUCUS, CO-CHAIR

MANUFACTURING CAUCUS, CO-CHAIR

DIABETES CAUCUS, CO-CHAIR

Dear Governor Andrew Cuomo, New York State Department of Transportation Commissioner Marie Therese Dominguez and U.S. Secretary of Transportation Elaine Chao,

In consideration of the risk of injury while participating in driving a motor vehicle or as a passenger of a motor vehicle travelling along the roadway system known as Interstate 90 – as said roadway physically exists between the southerly and northerly boundaries of the Seneca Nation with such boundary intersections with Interstate 90 existing between Buffalo Road and Brant Farnham Road of the state of New York – this letter shall serve as prior written notice of a defective condition, pursuant to New York State General Municipal Law, Highway Law and The New York Civil Practice Law and Rules, including but is not limited to as follows: deteriorating asphalt, cracks in paved surface, and the pooling of water inhibiting passage of motor vehicles.

For these reasons, on behalf of the people travelling on I-90, a formal letter of defect is necessary for the safety of the traveling public in consideration of New York State Highway Law statute 53 – which holds New York State responsible for maintaining roads around the Seneca Nation – and also holds New York State accountable for the gross negligence of roads running through Seneca Nation land.

Whereas New York State, effective August 1, 2019, is liable for any and all injury, loss of life, and /or damage or total loss personal property resulting from the road conditions of the above-mentioned federal interstate.

The road conditions along Interstate 90 in the above-mentioned area are in total disrepair. A staggering number of potholes are evident, causing not only an unpleasant jarring sensation for drivers and passengers but also often cause drivers to perform dangerous vehicular maneuvers in order to avoid increasingly large defects in the road. These potholes cause standing water, which then causes hydroplaning in the warmer months and increased black ice during the winter months.

All of these conditions have led to increased risk of injury or death through vehicle crashes and/or loss of property.

Political disputes must be set aside with the Seneca Nation in order to minimize the serious threat of loss of life, injury and/or property resulting from crumbling roads along Interstate 90.

Sincerely,



Tom Reed  
Member of Congress